



**understands:**

1. the right to persist in a plea of "not guilty";
2. the right to a speedy and public trial;
3. the right to be tried by a jury, or the ability to waive that right and have a judge try the case without a jury;
4. the right to the assistance of counsel at trial;
5. that, at trial, there would be the right to confront and cross-examine the witnesses against the Defendant;
6. that, at trial, there is the right to present a defense, and the right to have witnesses subpoenaed to testify on the Defendant's behalf;
7. that, at trial, the Defendant would have the right against compelled self-incrimination;
8. the nature of the charge filed in this case;
9. the maximum possible sentence that could be imposed (including imprisonment, fine, term of supervised release, and mandatory special assessment), the effect of a supervised release term, and that the sentencing guidelines are only advisory so that the Court may sentence Defendant up to the statutory maximum;
10. the terms of the plea agreement;

**I further find that:**

11. that Defendant's plea of guilty is made knowingly and voluntarily;
12. the Defendant is competent to enter a plea; and
13. there is a factual basis for Defendant's plea.
14. Defendant has admitted that he/she was deported and

1 removed from the United States after 08/16/06.

2 I therefore RECOMMEND that the District Judge accept the  
3 Defendant's plea of guilty.

4 The sentencing hearing will be before United States District  
5 Judge M. JAMES LORENZ, on 04/14/08, at 2:00PM.

6 Objections to these Findings and Recommendation must be  
7 filed within 14 days of the date of this order.

8  
9  
10 Dated: 03/13/08



BARBARA L. MAJOR  
United States Magistrate

11  
12 Judge

13 Copies to:

14 Hon. M. JAMES LORENZ  
15 U.S. District Judge

16 MICHELLE PETTIT  
United States Attorney

17 JENNIFER COON  
18 Counsel for Defendant